

Opening

DECLARATORY

Improvement Res. No. 871-1953

For the opening of twelve (12) ft. and fifteen (15) ft. alleys in Novitsky's Addition.

Resolution Adopted:

Feb. 19, 1953

Confirmed:

March 19, 1953

Bids Received:

Contract Awarded:

Contract and Bond:

Contractor:

Reported Completed:

Assessment Roll Confirmed:

April 16, 1953

# 871

For the ~~Vacation~~- Opening - Condemnation of right of way for utility purposes of twelve (12) Ft. and fifteen (15) Ft. alleys in Novitsky's Addition.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana, that it is desired and deemed necessary to open twelve (12) and fifteen (15) Ft. alleys in Novitsky's Addition, whose center lines are described as follows:

(See attached Sheet)

All as shown by a plan of such proposed Opening - ~~Vacation~~ - Condemnation of right of way for utility purposes as above described, now on file in the Office of the Department of Public Works of the City of Fort Wayne, Indiana. The opening of said alleys as above described is to be made by condemning and appropriating for alley purposes the south eight (8) Ft. of Lots 1 to 7, Novitsky's Addition, the north four (4) Ft. of Lots 8 & 32, Novitsky's Addition, the west fifteen (15) Ft. of Lots 8 to 17, Novitsky's Addition, the east fifteen (15) Ft. of Lots 24 to 32, Novitsky's Addition,

The cost of said ~~Vacation~~ - Opening - Condemnation of right of way for utility purposes shall be assessed against the property beneficially affected thereby, and triangular pieces of Lots 17 to 24, Novitsky's Addition and part of Lot No. 7, Brackenridge's 2nd Sub.

The cost of said opening shall be assessed against the property beneficially affected thereby.

The property which may be injuriously or beneficially affected by such ~~Vacation~~ - Opening - Condemnation of right of way for utility purposes is described as follows: Lots 1 to 32, inclusive in Novitsky's Addition and part of Lot No. 7, Brackenridge's 2nd Subdivision. Both Additions inclusive to the City of Fort Wayne, Indiana.

~~All lots and lands~~

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", as approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten equal installments with interest at the rate of five (5)% per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from the said property owner or owners, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the City from the assessments for such property damages as said City is by <sup>SAID</sup> above entitled act required to pay. All proceedings had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplement <sup>S</sup> thereof.

~~The vacation of the above described Street and alleys shall be subject to an easement for the use of the City of Fort Wayne, Indiana, and other minor utilities for the construction and maintenance of sewers, water mains, gas mains, electric pole lines and conduits, telephone and telegraph pole lines and conduits.~~

All Streets, lots and lands affected by the above described opening lie in the southwest quarter of Section 10, Wayne Township 30 north, Range 12 east, and lie wholly within the corporate limits of the City of Fort Wayne, Indiana.

ADOPTED THIS 19 DAY OF Feb. 19 53 .

Attest: *Frank K. Ross*  
Secretary Board of Public Works.

*J. Brown*  
*W. H. Williams*  
*Orvin M. Darling*  
Board of Public Works.

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pres*

Beginning at a point on the west property line of Byron Avenue, said point being two (2) ft. north of the north property line of Lot No. 8, Novitsky's Addition, thence west on a line parallel to Lot No. 8, Novitsky's Addition to a point on the west property line of Novitsky's Addition, said point being two (2) ft. north of the south property line of Lot No. 7, Novitsky's Addition. Thence beginning at a point on the south property line of Lot No. 7, Novitsky's Addition and seven and one-half ( $7\frac{1}{2}$ ) ft. east of the west property line of Novitsky's Addition, thence south on a line parallel to the west property line of Novitsky's Addition to a point on the south property line of Lot No. 17, Novitsky's Addition and seven and one-half ( $7\frac{1}{2}$ ) ft. east of the southwest corner of Lot No. 17, Novitsky's Addition. Thence beginning at a point on the west property line of Novitsky's Addition and six (6) ft. north of the southwest corner thereof, thence easterly to a point on the west property line of Byron Avenue and six (6) ft. south of the southeast corner of Lot No. 17, Novitsky's Addition. Also five (5) ft. cutoffs on Lots 8 and 17, Novitsky's Addition according to attached plat.

Also beginning at a point on the east property line of Byron Avenue and six (6) ft. north of the south property line of Lot No. 24, Novitsky's Addition, thence easterly to a point on the east property line of Novitsky's Addition and six (6) ft. south of the north property line of Lot No. 23, Novitsky's Addition. Thence beginning at a point seven and one-half ( $7\frac{1}{2}$ ) ft. west of the east property line of Novitsky's Addition and twelve (12) ft. south of the north property line of Lot No. 23, Novitsky's Addition, thence north to a point seven and one-half ( $7\frac{1}{2}$ ) ft. west of the east property line of Novitsky's Addition and eight (8) ft. north of the south property line of Lot No. 1, Novitsky's Addition. Thence beginning at a point on the east property line of Novitsky's Addition and two (2) ft. north of the south property line of Lot No. 1, Novitsky's Addition, thence west to a point on the east property line of Byron Avenue and two (2) ft. north of the south property line of Lot No. 4, Novitsky's Addition. Also five (5) ft. cutoffs on Lots 24 and 32, Novitsky's Addition according to attached plat.

# P E T I T I O N

Fort Wayne, Ind.,

Nov. 18, 1952

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

estate in Montgomery Addition

The undersigned, owners of real

, from

to

respectfully petition for the passage of a resolution providing for the opening of alley's twelve (12) feet in width according to attached plat.

NAME Allen Home Builders Inc. by Bryant. Montgomey, V.P. ADDRESS Coombes & Cochran 26  
Signature Petitioner

<u>South West Realty of Fort Wayne, Inc.</u>	<u>By Bryant. Montgomey</u>	<u>Coombes &amp; Cochran 26</u>
<u>Albert Barnes</u>	<u>1805 Brown St.</u>	
<u>Jessie Dugan</u>	<u>1809 Brown St.</u>	
<u>Marrison Lumm</u>	<u>1809 Brown St.</u>	
<u>J. Clara and Ruth</u>	<u>1813 Brown St.</u>	
<u>Mrs C. A. Butt</u>	<u>1813 Brown St.</u>	
<u>Harold T. Fields, Jr.</u>	<u>1824 HALE AVE</u>	
<u>Susan Fields</u>	<u>1824 Hale Ave.</u>	
<u>Thomas Hammes</u>	<u>1810 Hale Ave.</u>	
<u>William L. Hammes</u>	<u>1810 Hale Ave.</u>	
<u>Charles E. Brown</u>	<u>1828 Hale Ave.</u>	
<u>Jean Brown</u>	<u>1828 Hale Ave.</u>	
<u>Velma S. Sterling</u>	<u>1814 Hale Ave.</u>	
<u>R. Y. Sterling</u>	<u>1814 Hale Ave.</u>	
<u>Albert K. Myers Jr.</u>	<u>1806 Hale Ave.</u>	
<u>Argyle Myers</u>	<u>1806 Hale Ave.</u>	
<u>Key</u>		
<u>Lester V. Sample</u>	<u>1831 Brown St.</u>	
<u>Maxine C. Sample</u>	<u>1831 Brown St.</u>	
<u>Eugene Hull</u>	<u>1801 Brown St.</u>	
<u>Beverly Hull</u>		
<u>Joseph Nick</u>	<u>1802 Hale Ave.</u>	
<u>Doris L. Nick</u>	<u>1802 Hale Ave.</u>	
<u>Richard M. Saffrank</u>	<u>1827 Brown St.</u>	
<u>Beverly A. Saffrank</u>	<u>1827 Brown St.</u>	

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## Petition for Passage

of a Resolution for

opening of twelve (12) ft.

alleys in Novitsky's

Addition.

from \_\_\_\_\_

to \_\_\_\_\_

Filed with the Board of Public Works

Plans Ordered: Dec. 30, 1952.

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